UNITED STATES PATENT AND TRADEMARK OFFICE

Paper No. 17

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In re Application of Mobley et al.	:	
	:	DECISION
Application No. 09/669707	:	ON PETITION
Filed: 09/26/2000	:	
Attorney Docket No. 8266-0474	:	

This is a decision on the petition, filed April 15, 2003, requesting that the prosecution in the above-identified patent application be suspended for an additional six months beyond the 6 months that prosecution was suspended under 37 C.F.R. § 1.103(a).

Regarding a suspension on request of the applicant, 37 CFR 1.103(a) provides:

> (a) Suspension for cause. On request of the applicant, the Office may grant a suspension of action by the Office under this paragraph for good and sufficient cause. The Office will not suspend action if a reply by applicant to an Office action is outstanding. Any petition for suspension of action under this paragraph must specify a period of suspension not exceeding six months. Any petition for suspension of action under this paragraph must also include:
> (1)   A showing of good and sufficient cause for suspension of action; and
> (2)   The fee set forth in § 1.17(h), unless such cause is the fault of the Office

In the Request, to establish cause, Petitioner asserts the claims and issues of the instant application are relevant to the disputed inventorship and ownership of Reichow. Consequently, since the outcome of the civil case in regards to Reichow may materially affect prosecution of the instant application, good and sufficient reasons have been demonstrated to warrant suspension of action.

Accordingly, the petition to suspend prosecution is GRANTED for a period of up to six (6) months starting from the filing of petition, April 15, 2003.

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